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IFW

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/643,881
	Filing Date	August 20, 2003
	First Named Inventor	Robert James Vimini
	Art Unit	1761
	Examiner Name	Adepeju Omolola Pearse
Total Number of Pages in This Submission <b>72</b>	Attorney Docket No.	PDF-104US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard, 11 references
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	RatnerPrestia		
Signature			
Printed Name	Christian M. Bauer		
Date	February 24, 2006	Registration No.	51,443

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or Printed Name	Anne Pinto	Date	February 24, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Effective on 12/08/04.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180**Complete if Known**

Application Number	10/643,881
Filing Date	August 20, 2003
First Named Inventor	Robert James Vimini
Examiner Name	Adepeju Omolola Pearse
Art Unit	1761
Attorney Docket No.	PDF-104US

**METHOD OF PAYMENT** (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 18-0350 Deposit Account Name: RatnerPrestia

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	—
Design	200	100	100	50	130	65	—
Plant	200	100	300	150	160	80	—
Reissue	300	150	500	250	600	300	—
Provisional	200	100	0	0	0	0	—

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>
—	—	—	—	—

- 20 or HP =

x

=

Fee (\$)

Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims****Extra Claims****Fee (\$)****Fee Paid (\$)**

- 3 or HP =

x

=

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
—	—	—	—	—

- 100 =

/ 50 =

(round up to a whole number) x

=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement**Fees Paid (\$)**

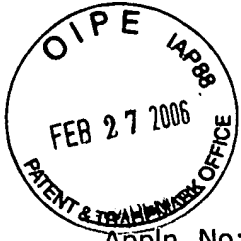
180

**SUBMITTED BY****Complete (if applicable)**

Signature		Registration No. Attorney/Agent	51,443	Telephone	(610) 407-0700
Name (Print/Type)	Christian M. Bauer	Date	February 24, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

App'n. No: 10/643,881  
Applicant: Robert James Vimini et al.  
Filed: August 20, 2003  
Title: PACKAGING AND COOKING BAG AND METHOD FOR PACKAGING AND  
PREPARING A MEAT PRODUCT  
TC/A.U.: 1761  
Examiner: Adepeju Omolola Pearse

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a and PTO/SB/08b forms submitted herewith. A copy of the references listed on the PTO/SB/08a and PTO/SB/08b forms, other than U.S. patents, is enclosed. More particularly, the best available copy of those non-patent literature cited on sheet 3 is provided. These non-patent literature references were cited in an information disclosure statement in U.S. patent application published 2005/0118315 to Leich et al. (also cited in this IDS). One such reference, the Reynold's Oven Bag, was described in Berrier et al.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

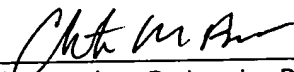
02/28/2006 NNGUYEN1 00000010 10643881

01 FC:1806

180.00 OP

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, the required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,

  
\_\_\_\_\_  
Christopher R. Lewis, Reg. No. 36,201  
Christian M. Bauer, Reg. No. 51,443  
Attorneys for Applicants

CMB/ap

Enclosures: PTO/SB/08a and PTO/SB/08b  
(11) References  
Transmittal Form  
Fee Transmittal and Check (\$180) Credit Card Payment (2038)

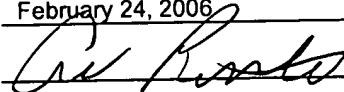
Dated: February 24, 2006

<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700
<input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2500

The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 24, 2006

  
\_\_\_\_\_  
\_\_\_\_\_

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 3

**Complete if Known**

Application Number	10/643,881
Filing Date	Aug. 20, 2003
First Named Inventor	Robert James Vimini
Art Unit	1761
Examiner Name	Pearse, Adepeju Omolola
Attorney Docket No.	PDF-104US

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-2,779,681	Jan. 29, 1957	Sell et al.	
		US-2003/0017235	Jan. 23, 2003	Wright	
		US-2005/0118315	Jun. 2, 2005	Leich et al.	
		US-2005/0153025	Jul. 14, 2005	Hopkins	
		US-3,454,211	Jan. 2, 1968	K.C. Hoffman	
		US-3,578,239	May 11, 1971	Perlman	
		US-3,607,312	Sep. 21, 1971	Charles Ambrosia Ready	
		US-3,716,369	Feb. 13, 1973	Perlman	
		US-3,730,076	May 1, 1973	Levin	
		US-3,762,986	Oct. 2, 1973	Bhuta et al.	
		US-3,864,503	Feb. 4, 1975	Steenolsen	
		US-3,995,084	Nov. 30, 1976	Bhuta et al.	
		US-4,352,263	Oct. 5, 1982	Andrews, Jr.	
		US-4,647,483	Mar. 3, 1987	Tse et al.	
		US-4,665,135	May 12, 1987	Tse et al.	
		US-4,820,536	Apr. 11, 1989	Lippincott et al.	
		US-4,877,684	Oct. 31, 1989	Shepard et al.	
		US-4,925,687	May 15, 1990	Gray et al.	
		US-5,120,553	Jun. 9, 1992	Kupcikevicius	
		US-5,287,559	Oct. 27, 1998	Powell	
		US-5,344,679	Sep. 6, 1994	Vicik	
		US-5,402,520	Mar. 28, 1995	Skaar et al.	
		US-5,491,009	Feb. 13, 1996	Bekele	
		US-5,846,620	Dec. 8, 1998	Compton	
		US-6,183,789	Feb. 6, 2001	Nilsson et al.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

<sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 3

**Complete if Known**

Application Number	10/643,881
Filing Date	Aug. 20, 2003
First Named Inventor	Robert James Vimini
Art Unit	1761
Examiner Name	Pearse, Adepeju Omolola
Attorney Docket No.	PDF-104US

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number - Kind Code <sup>2</sup> (if known)				
		US-6,203,750	Mar. 20, 2001	Ahlgren et al.		
		US-6,290,998	Sep. 18, 2001	Layton et al.		
		US-6,416,832	July 6, 2002	Uehara et al.		
		US-6,455,084	Sept. 24, 2002	Johns		
		US-6,486,455	Nov. 26, 2002	Merabet		
		US-6,488,873	Dec. 3, 2002	Wright		
		US-6,627,324	Sept. 30, 2003	Eggers et al.		
		US-6,667,082	Jul. 19, 2001	Bamore et al.		
		US-6,682,792	Jan. 30, 2003	Schmal et al.		
		US-6,847,022	Aug. 5, 2004	Hopkins, Sr.		
		US-6,896,919	May 24, 2005	Wright		
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 98/06574	Feb. 19, 1998	Ramesh et al.		<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 3 of 3

## Complete if Known

Application Number	10/643,881
Filing Date	Aug. 20, 2003
First Named Inventor	Robert James Vimini
Art Unit	1761
Examiner Name	Pearse, Adepeju Omolola
Attorney Docket No.	PDF-104US

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	1A	JENNIE-O-FOODS, INC., Willmar, MN, product label for Turkey Breast Roast, on sale approximately 1984.	<input type="checkbox"/>
	1B	JENNIE-O-FOODS, INC., Willmar, MN, photo of packaged Turkey Breast Roast, on sale approximately 1984.	<input type="checkbox"/>
	1C	JENNIE-O-FOODS, INC., Willmar, MN, photo of Turkey Breast Roast in an unsealed oven ready bag, on sale approximately 1984.	<input type="checkbox"/>
	1D	JENNIE-O-FOODS, INC., Willmar, MN, photo of cooked Turkey Breast Roast in the unsealed oven ready bag, on sale approximately 1984.	<input type="checkbox"/>
	1E	JENNIE-O-FOODS, INC., Willmar, MN, photo of cooked Turkey Breast Roast with the unsealed oven ready bag partially peeled away from the roast, on sale approximately 1984.	<input type="checkbox"/>
	2A	MBA Poultry, Tecumseh, NE, product packaging for QUICK CHICK, on sale approximately 2001, 5 pages.	<input type="checkbox"/>
	3A	REYNOLDS CONSUMER PRODUCTS, a business of Alcoa, Inc., Pittsburg, PA, web page for REYNOLDS® Oven Bags, General Information, 2 pages (2002).	<input type="checkbox"/>
	3B	REYNOLDS CONSUMER PRODUCTS, a business of Alcoa, Inc., Pittsburg, PA, web page for REYNOLDS® Oven Bags, How to Use, 2 pages (2002).	<input type="checkbox"/>
	4A	CAROLINA TURKEY, MT. Olive, NC, web page for Roast-In-Its-Own-Bag product line, 1 page (2002).	<input type="checkbox"/>
	4B	CAROLINA TURKEY, MT. Olive, NC, web page for product codes and descriptions, 1 page (2002).	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Examiner Signature	Date Considered
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<sup>1</sup>Applicant's unique citation designation number (optional).

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